

REMARKS/ARGUMENTS

By this amendment, claims 2, 4, 13, 15, 17-22 are amended. Claims 24 and 25 are cancelled. Claims 1-23 are pending, of which claims 1, 6-12, 14 and 16 are withdrawn. Claims 26 to 30 are new.

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

The Claim Objection And Rejection Under 35 U.S.C. 112

The Examiner is thanked for noting the spelling error of "intermolecularly" which is now corrected.

As to the rejection under 35 U.S.C. 112, it is respectfully submitted that a test of solubility is sufficiently simple to satisfy the Wands factors and enable the invention to one of ordinary skill in this art. In any case, Claims 2, 13, 15, 17-22 and 26 have been amended in order to limit the insolubility of the support material to polar organic solvents. Those amendments are based on page 5, line 4 of the description.

Claims 26-30 are new and concern a support material or a percolation membrane consisting essentially of a cross-linked polymer compound comprising a radical of formula (I) bound to a polysaccharide or oligosaccharide derivative according to formulae (VII). New claim 26 is based on former claims 2 and 15. New claims 27, 28, 29 and 30 are based on claims 3, 4, 5 and 23 respectively.

Rejection Under 35 U.S.C. § 103

Claims 2-5, 13, 15 and 17-23 stand rejected under 35 U.S.C. § 102(b) and 103(a) as being unpatentable over Pouyani et al.. This objection is respectfully traversed.

Claims 2-5, 13, 15, and 17-23 concern a support material or a percolation membrane consisting essentially of a cross-linked polymer compound comprising a radical of formula (II) wherein said cross-linked polymer compound is intermolecularly

cross-linked in a tri-dimensional network and therefore is insoluble in polar organic solvent.

Claims 26-30 concern a support material or a percolation membrane, consisting essentially of a cross-linked polymer compound comprising a radical of formula (I) bound to a polysaccharide or oligosaccharide derivative according to formulae (VII), wherein said cross-linked polymer compound is intermolecularly cross-linked in a tri-dimensional network and therefore is insoluble in polar organic solvent.

Pouyani et al. disclose intermolecularly cross-linked derivatives of hyaluronic acid (in particular compounds 6 to 9 of scheme 5) for use as hydrogels in biomedical applications such as sustained drug delivery or prevention of postsurgical adhesions.

Pouyani et al. do not disclose intermolecularly cross polymer comprising a radical of formula (II) or comprising a radical of formula (I) bound to a polysaccharide or oligosaccharide derivative according to formulae (VII). Furthermore, the cross-linked hyaluronic acid derivatives disclosed by Pouyani et al. "could degrade in response to a variety of biological stimuli such as the presence of hydroxyl radical" and thus has not a high stability in polar organic solvent. The man skilled in the art will thus not take into account Pouyani et al.. Even if he will take in into account, he will never obtain the products of the invention which present a different structure and a completely different behaviour with polar solvents.

Therefore, Pouyani et al. do not teach nor suggest the support material or the percolation membrane of the claimed invention. Claims 2-5, 13, 15, and 17-23 are thus inventive. In particular, please note that a "percolation membrane" describes physical characteristics, e.g. thin and porous, not an intended use, pertinent claims being 13, 23 and 30. Likewise a "ball" is a physical characteristic as expressed in claims 3 and 27. Also, claims 5 and 29 require in addition a mineral or organic support.

In view of the above amendments and remarks, Applicants respectfully submit that the claims are in condition for allowance. Should the Examiner believe that a discussion with the undersigned Counsel would expedite prosecution of the application, a telephone call to 703-812-5325 would be welcomed. If Counsel is unavailable,

please call Ms. Richardson at 703-812-5326, and she will be happy to enlist the services of another attorney.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

/I. William Millen/

I. William Millen, Reg. No. 19,544
Attorney/Agent for Applicant(s)

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410
Attorney Docket No.: PET-1802-D02
Date: December 23, 2009